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**Johns-Manville Superfund Site
Feasibility Study**

**PUBLIC MEETING
February 9, 1987
7 p.m.**

**Question & Answer Period
and
Public Comments**

Moderator: Margaret McCue

PRESENT:

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APPEARANCES:

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**Reported by: JACK ARTSTEIN & ASSOCIATES
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MR. BRADLEY: Manville and the USEPA agree that soil covering with vegetation is the appropriate alternative for the site. However, if you noticed, Kumar mentioned an eighteen inch cover thickness for the dry disposal areas, which are the areas outlined in red. And the soil profile that I put up which represents the USEPA recommended alternative is twenty-four inch thickness. The disagreement, as far as the cover thickness is concerned, centers on the difference in the cost-benefit analysis, which is the cost of achieving the abatement of public health threats and the cost of doing it, the cost of achieving that goal.

USEPA believes that a twenty-four inch soil cover alternative provides the appropriate level of protection to public health and the environment and also achieves all applicable federal and state standards, including the remedial response objectives of the Superfund Legislation and the provisions of the Superfund Amendments and the Authorization Act of 1986.

The last step regarding implementation of the remedial action, or the remedial alternative selected, is

that, depending on the results of negotiations between Manville and USEPA, is either Manville and USEPA will enter into a consent decree to perform the remedial design and remedial action as outlined in the record decision, or USEPA will implement a remedy themselves and recover costs.

And that concludes my presentation.

MS. MCCUE: Thank you, Brad.

One other item I'd like to mention is that in addition to the record of the decisions that outline what actually will be done at the site, taking into account public comments. The document is a responsiveness summary where we identify what all the comments were and how it how it was managed. So, as part of the record of decision, there is a joint document that talks about the kind of comments.

What I would like to do now is address any questions that you might have. All those different people I introduced at the beginning of the meeting are also available to answer questions if any of your questions happen to fall into the area of their expertise I expect that they will be glad to answer most of your questions.

Does anybody have any questions?

Q. What kind of timetable are we looking at, as far as something being done as far as negotiations?

MS. MCCUE: Do you mean a timetable for how long the negotiations will take, or when something will start, or a timetable for how long something will take once it's started?

Q. Yeah. I'd assume that the recommendation probably couldn't start until there was a consensus and agreement on both sides. Is that correct? Or no?

MR. BRADLEY: Well, as I mentioned the negotiations will either end in agreement or the USEPA will clean up themselves.

Q. Okay.

MR. BRADLEY: However, there is a general timeframe for completing negotiations, so we do have a general feel for when we will begin work, or when Manville will begin work.

Q. Any idea as to when the work will begin? Either that or the completion?

MS. MCCUE: I'm going to have--Larry Johnson is our attorney. He is responsible for the negotiations. He may know better than anybody.

MR. JOHNSON: Under the Superfund Amendments Act of 1986 there is essentially a two part trade within which we can negotiate. There is an initial sixty day period where you send a special notice to the parties which you feel, the USEPA feels, are responsible for the cleanup. They have, after receiving that notice, they have sixty days in which to send a proposal to the USEPA for implementing cleanup activities. Then there is a second sixty day period, after the proposal, during which negotiations take place. And at the end of that second sixty day period, if no settlement, then we would get a consent decree, then the USEPA proceeds without an agreement into the cleanup phase. In other words, there is that timetable as far as negotiations.

Q. So, it could be 120 days?

MR. JOHNSON: Well, there is already, the special notice letter has already been sent. At this point I'd say that some time in May total 120 day period is up.

MS. MCCUE: So, that gives you some timeframe. Of course, a decree is a court document, it won't necessarily be, but it actually is lodged in court.

MR. JOHNSON: A consent decree is a document that a judge signs that reflects the agreement between the USEPA and the court.

MR. MALHOTRA: Let me add that suppposing that by May that thing is settled, and both parties agree, then after that take four to five months to prepare plans and specifications of what has to be done, and that will be in say October or November. Then you bid the job with thirty days to six weeks to get the contractors' response, and sometime in December or January you receive the bids. Then another thirty days or two weeks time, somewhere in February you award the contract. Then in '88 sometime depending the season the contractor will be ready to start the work. So, basically '88 and '89 will go into --

Q. Right. So we'd be looking at fourteen, maybe fifteen months?

MR. MALHOTRA: Well, essentially it would be two seasons, because, you know, they are not only grading

and that, it's a very large area. You're talking 120 acres over there. And that's a large amount of dirt. You're talking 300,000 cubic yards of dirt, so you're not talking just a small quantity of dirt to be moved. Depending on what -- and so we're looking at essentially two years here to complete that. If we move that surface dirt in the early part of '88, so early part of--late '89 or the early part of '90 it would be done.

MS. MCCUE: Gentleman in the back.

Q. If I understand correctly, you agreed upon number three. The EPA and Johns-Manville agreed upon number three?

MS. MCCUE: Well, I have a hard, I have a little bit of a hard time, what I'm trying to say is, there is no signed agreement.

Q. There is no signed agreement, but you both have agreed number three would be it?

MS. MCCUE: That's what we're recommending.

Q. All right. That costs FOUR MILLION FOUR HUNDRED EIGHTY EIGHT THOUSAND (\$4,488,000.00) DOLLARS. Is a short term project, or short term security, according to

this document I'm reading here because of the fact it refers us back to number two. See, before the FOUR MILLION FOUR HUNDRED EIGHTY EIGHT THOUSAND (\$4,488,000.00) DOLLARS is spent, either by EPA or by Johns-Manville, who takes care of the rest?

MS. MCCUE: I'm not sure I understand your question. Are you saying that we said that that alternative was only a short term solution?

Q. According to this document it's only short.

MS. MCCUE: I don't think that's what--I'm not sure where you got that.

Q. In the long-term, top soil erosion is likely, increasing the potential for direct contact with the contaminants.

MR. BRADLEY: Are you looking at alternative II versus alternative III?

Q. No. I'm looking at number three, but it refers back to number two on the long-term--

MS. MCCUE: Okay. Well, it's not actually--I can see where you got that idea now. It wasn't the intention. I think one of the--

Q. Well, that's what it says.

MS. MCCUE: One of the differences between two and three is the long-term effectiveness. And that's why the thickness of the cover. I don't have my fact sheet here so I can't read it. That's not what we meant, if that's what it said.

Q. Well, that's what it said.

MS. MCCUE: Well, that may be what it says, but I'm telling you, that's not what we meant by that. So--

Q. Okay.

MR. MALHOTRA: (Referring to the projection from the overhead machine) Two and three are clear, long-term prognosis--no for grading and seeding, and number three is yes. So, that's it. So two is not acceptable.

Q. So then, if you read your own document, and read number three, it refers back to number two.

MR. MALHOTRA: Well, I didn't prepare it.

MCCUE: Yeah. He didn't prepare it. He's not guilty of that.

Q. I think if you read the last sentence of the last paragraph, it's pretty clear.

MS. MCCUE: I think it says short-term adverse impacts are similar to those in alternative II. That's the only thing that I see that refers back to alternative II. And that says short-term adverse impacts, that would be the, you know, the stirring up some soil while actually putting the cover into place. I don't see anything that says about long-term. If there is a sentence that says that, I don't see it. If your concern is for long-term effectiveness, one of the reasons that we're recommending this alternative is because it would have a long-term effectiveness. That's why number two is not--

Q. (Another speaker) That's what I was concerned about--

MS. MCCUE: Excuse me, could you speak up?

Q. I say, that's what I was concerned about too.

MS. MCCUE: Was the long-term effectiveness?

Q. Some of these people from the corporation have already mentioned keeping up, have said something about thirty years. After that, they'll drop out of site and leave it up to the taxpayers.

MS. MCCUE: Well, Larry, (regarding Mr. Johnson) maybe you would want to address--two things, maybe if you would want to make that an official comment we would be happy to take that as a comment. But, I think, perhaps, Larry, could you address that in a decree, what you can, a court document, that there are requirements put in there so that people don't drop out of sight.

MR. JOHNSON: Well, the decree, if there is a consent decree out and a judge signs it, it doesn't die. It remains a court order. It remains enforceable by USEPA. I'm not sure I understand your--I'm not sure I'm addressing your concerns properly. Is that--what I'm saying is, if there was a, if the USEPA entered into an agreement with Manville Sales Corporation, and a judge signed a consent decree reflecting that agreement, that consent decree is a court order and it doesn't die. I don't know if I'm addressing the problem that you're--

Q. May I just ask the question again, Larry? I think he's asking--you said something about thirty years, or someone mentioned monitoring regularly for thirty years. What happens after thirty years?

MR. BRADLEY: Okay. What I said was a minimum of thirty years. What would be done, is that it would be done for thirty years, and then the need to do that would be reevaluated and would continue as the need exists for more monitoring.

MS. MCCUE: Okay. A couple of things, I'd like to suggest to you that if you want to make your concern about there being something to take care of the long haul as a comment, either out loud or written, that would be more than acceptable. You two are really, not you, first in the vest and then the man in the jacket.

Q. Okay. Part of this concern was, you know, if you have Johns-Manville, or now Manville Sales as one of the parties to the agreement, I mean, they just reorganized under Chapter 11, or whatever they did. I mean, assume they have more problems again, is it going to be local taxpayers who would end up footing the bill, or you

say the USEPA is going to come in with Superfund money, and they are going to take care of it regardless of Manville's cooperation, or who are we looking to foot the bill of this cleanup, assuming there is no consent decree and Manville--

MR. JOHNSON: All right. This site is on the National Priorities List. It's a Federal Superfund Site. Either, under Superfund, the law, either as a general rule, the party responsible for the site pays to clean it up in an agreement with the USEPA, or the USEPA can clean it up itself and then sue the responsible party to recover all of its costs. The EPA does that. The EPA uses Federal Superfund money for the cleanup and then seeks to recover that cost from the party responsible for the site.

Q. So then the estimated cost here, some 4.5 million for project number three, soil covering with vegetation, if in fact it exceeds that, and is say six million or whatever, that's USEPA that is going to pick up the cost--

MR. JOHNSON: No. If there is a consent agreement, or a consent decree that's reached--if there is an agreement reached, the cleanup is going to be performed

per this design outline that you have seen here. It is not going to be, "Well, we've reached 4.4 million. Now we quit and turn over--."

MS. MCCUE: Regardless of cost, it has to--

MR. JOHNSON: Regardless of cost, you have to meet design criteria and finish it.

MS. MCCUE: Same with us. If the USEPA were paying for it. We pay for what it takes to accomplish the cleanup in the requisition. The costs often change. You're right. They often change.

I'm sorry. The man in the suit jacket had his hand up first, and then you. I'm sorry. Go ahead.

Q. First of all, I would like to ask, what health hazards are we facing here that we know of definitely?

MS. MCCUE: Well, I think that Brad can add to this, but if you're talking about immediate, today, the investigation found that the airborne asbestos is on the site, not off the site. So, our concern--and the specific contaminants in the groundwater didn't violate any drinking water standards now. So, we're not talking about an

immediate health threat. We're talking about preventing one from happening.

Q. Yes. So, we're not sure though, are we? The comment, statement, that I would like to make, I appeal as a citizen of the United States of America that the U.S. Environmental Protection Agency and the Illinois Environmental Protection Agency get together once and for all and develop standards of levels. Because I know by reading U.S. Environmental paraphernalia that they do have standards of levels and the Illinois State EPA does not. I wish that the two would mesh together.

The next point is that we're talking about four-and-a-half million today. Two years from now we don't know what that four-and-a-half million will be. I appeal to the United States Environmental Protection Agency to work with all haste on this, because there is a possibility that this could be a health hazard.

Secondly, I agree with this gentleman here, (referring to an audience member who had previously spoken) I don't think this is a solution that is going to be a lasting solution. And we're all not going to be here

thirty, forty years from now, but our grandchildren will be. And I think we owe the future Americans something here, and I think we all have to work a little harder. But, I think Johns-Manville has to look at its commitment to the area. And I think that the Superfund that I have heard so much about for years, just never wants to spend any money.

MS. MCCUE: Okay. Much of what you are saying, I think, really falls within the pervuew of comment. And if you would like that, all of what you just said to be part of the public record, then I encourage you to fill out one of these blue cards (referring to a comment card).

Q. I already have.

MS. MCCUE: Okay. Is this it? (Holding up one particular card.)

Q. Yes.

MS. MCCUE: Is this your--

Q. Well, I don't know, I can't see that far.

MS. MCCUE: Oh. You can't read that?

(Laughing)

Q. Must be.

MS. MCCUE: Henry is your first name?

Q. That's it.

MS. MCCUE: If you want that, what you just said to be your comment, I can have the court reporter mark that as an exhibit.

Q. I certainly would, yes.

MS. MCCUE: Okay. Why don't we do that. Umm, there were three parts to what you said, and normally we don't respond to comments and I think Brad is itching here to say a couple of things about it, but we will still consider what you say as comments.

Q. Well, I would like them to be considered.

MR. BRADLEY: Well, I apologize if I didn't clarify this, but as far as the long-term actions to be taken, again what we found in the remedial investigation is the need to abate the asbestos air emissions on-site. The cover thickness of twenty-four inches will provide at least one hundred years of protection before any of that asbestos will ever reach the surface and become releasable. And I also mentioned that a cover monitoring program would be developed to ensure that none of the asbestos, does ever reach the surface and become releasable.

An example of something that could be done, as far as a cover monitoring program, would be to take soil borings, at a specified period of time, say every two, three to five years, and check it for asbestos. And if asbestos is found to be close to the surface, then more cover would be placed down to ensure that it never does reach the surface.

Secondly, the remedial investigation indicated the need to take proper remedial action if the lead, and to a lesser extent chrome, in the soils becomes mobile and moves through the groundwater. The protection monitoring system was established to detect whether the different contaminants do become mobile, and that would continue for a minimum of thirty years, at which point the need for that would be reevaluated. So, it is a minimum of thirty years, and if the need still exists, then it would continue. So, it is a long term solution.

MR. MCGALL: Mr. Bradley, may I answer--or Margaret, could I answer one of the--

MS. MCCUE: Okay. One thing, I don't want anyone who is making comments to feel that we are in any way disputing their comment. That is not our point. That is

why we usually have the comments come at the end. So, don't look on--look on it as a clarification, not argument.

MR. MCGALL: Let me answer the end of your comment, about the EPA not having spent very much money on this subject. I am Dick McGall, and I am a consulting engineer as far as the mechanics and the costs. We're now working with Region V and the Illinois area in general. And a much larger area, actually. Well, I have been working for three years with the Region Office in New England. And you may have read in the newspapers that around Nashua, New Hampshire there are a great many deposits of asbestos. In that case, it happened to be in residential areas. Nashua and Hudson across the river is the fastest growing community in New England. People from Boston moving north across the New Hampshire border live in this area.

Well, three years ago, Superfund money was spent, for the last three years has been spent on, well, more than one hundred sites have been identified, and perhaps twenty in the three years have been restored. And the average cost is somewhere between TWO HUNDRED THOUSAND (\$200,000.00) and THREE HUNDRED THOUSAND (\$300,000.00)

DOLLARS per site, not in all. So, there is probably TEN MILLION (\$10,000,000.00) DOLLARS, at least, in Superfund money spent on covering waste asbestos in that area. And, some of that experience is what we are bringing here to this area. Superfund in this area is just beginning to do that. Actually it has been working for some time, it is just now that the money is becoming available. But it has been spent elsewhere.

Q. May I ask one last question: Is there any money earmarked by the United States Government right now, Superfund, for this just being passed? Is there actually any earmarked for it?

MS. MCCUE: I'm not positive, to tell you the truth. I think that we could check for you. I don't actually know. I can check.

There are a couple of people who--I'm sorry, you in the jacket.

Q. Well, my big concern is--

MS. MCCUE: Is this going to be a comment, or is this going to be a question?

Q. This is going to be a question.

MS. MCCUE: The only reason I'm saying that is because I don't like us to get into a lot of argument about your comments, and that's why I would just as soon have all comments. If you have a question, that's fine.

Q. Well, I think I have a very sensible question.

MS. MCCUE: Well, then, that's good.

Q. We've got a harbor full of PCBs, and that is still there. They're going to start a new project a half a mile up the road. Why don't you combine the both of them and take the stuff out of the harbor and use it in the big holes up there, and fill it in and that takes care of all of it at once.

MS. MCCUE: Well--

Q. I mean, it all makes sense. You're talking about billions of dollars. They're going to have to haul in all this fill.

MS. MCCUE: I'm not sure that Manville and the OMC necessarily want to get together on that project. They are really two separate projects entirely. And, as you all know, the harbor project has had its own problems. And

I think that we would all just as soon move ahead on the Manville project.

Q. Have there tests been taken in there west of the tracks of the Northwestern track there, have you checked for anything coming from that old city dump there?

MS. MCCUE: Ummm--

Q. Is there any chance of contamination of groundwater from there?

MS. MCCUE: That may be the Health Department. Is that the one that was called the Municipal Landfill, or whatever?

Q. It was the city dump for a good many years.

MS. MCCUE: I know that there is a former landfill that is being scored for the National Priorities List, but I'm not sure if that is the one that you're talking about.

Q. Well, it's just west of the Northwestern track. It was filled in all the way up to the hill when it was the city dump.

MS. MCCUE: Is anybody from the city
(Soliciting a response from any city personnel who may be in
the audience.)

Q. It was city controlled.

MS. MCCUE: I don't know the answer to your
question.

Q. And then they moved out there, I think on
Lewis Avenue. They filled in there and there's an
awful--where that housing project moved in--and there's an
awful lot of leakage coming out of there. You can't get
into that creek out there--

MS. MCCUE: Okay. The creek I know is one
that the USEPA has what we call an initial site
investigation, to see whether there is even a need to score
it and put it on the National Priorities List, which Larry
was talking about. I know that that site is under review
for the possibility of being added to the National
Priorities List. It's still under review. There also is a
landfill site here that is in the same status, I'm just not
sure whether it's the one that you are talking about.

Q. There's over there. Then also there's the possibility of water coming down through, they call it the Glum Florida Canal, or something, they come down there where all that fertilizer has been sitting out in the fields. And that all comes down into the Mammal Canal here.

MS. MCCUE: Well, I know that at least for a couple of those the USEPA is already working. And the others, I think I saw Kurt (referring to Mr. Neibergall) making a note of. Typically what happens is that a local agency or Illinois EPA looks these places over and refers them on to the USEPA. It is very unusual for us to be first ones to look at something. A couple of them I know we know about, and I noticed Kurt making notes about the others.

Q. (New speaker) I would like to make a statement, but I have three questions too.

MS. MCCUE: Well, ask your three questions, and then we will do your comment.

Q. Well, first of all, does anyone have any idea what the history of the site that Johns-Manville is located on was prior to its acquisition. I'm trying to see what would it take us back to get it back to a natural

state? The second thing is how would it affect the park, or the Illinois State Beach Park we have out there, as far as, since it is bordering on that line. Is it possible--what would be the ramifications of this landfill? And then the third part is, after we do spend the millions of dollars on this thing here, would that still be Johns-Manville property? Because I foresee--those questions have been on my mind because I'm going to say, if we are going to spend the money, I don't think it should become Manville property, and I don't think they should be dumping their garbage on that thing anymore, and besides, if it is fixed up, and we spend all the money on it, it should become an integral part of the park itself.

MS. MCCUE: Okay, sir, so it sounds like you have three questions and we may end up with three different people to answer them. The final one, on will the property stay Johns-Man--Manville Sales we will let Larry answer that one third.

MR. JOHNSON: (Stood up.)

MS. MCCUE: I was going to save that one for last.

MR. JOHNSON: Okay. (Sat down.)

MS. MCCUE: How it's going to affect the state park--are you saying how would the cleanup affect the park?

Q. Well, really the cleanup, the drainage, and all of this other--

MS. MCCUE: Oh. Okay. And then, the first one, I think what you're really asking is could the site be restored to the way it was before there was any industrial use of it.

Q. Yes.

MS. MCCUE: Probably a very good question. I think--

Q. Did Manville steal the land from the lake?

MS. MCCUE: Can you deal with the restoration and affect on the park?

Q. (Another speaker.) I'm sorry to interrupt, but I can go as far back as 1922. I was working there when they first started putting that up.

MS. MCCUE: So, you're saying that you do know what the property looked like before?

Q. Yes. It looked just like what it is to the north of there.

MS. MCCUE: Like the park?

Q. Yeah. But you got a ditch coming out from the west going right on around Johns-Manville. That was put there since 1922.

Q. (Another speaker.) I go back that far too, 1922, because my dad moved down here from Milwaukee with the Manville organization. And what was done there, sand was pumped out from the lakefront there into the buildings to build up around the foundations. That land, when they first started to build it, was just like the park.

MS. MCCUE: Okay. But the question was, could the site be restored to the way it was, as you people know how it was.

MR. BRADLEY: I'll address that. I think what you're referring to is actually removing what's there, which is not a recommended alternative. Kumar went into that. That would be similar to the off-site landfilling

alternative. The idea, it's asbestos, which is carcinogenic and very hazardous in the air, is not to move it or disturb it and allow it to become releasable to the air.

Q. Excuse me. Wasn't there the issue of whether Manville would retain ownership of the property?

MS. MCCUE: Well, that's what we're going to have Larry talk about that. Why don't we do your second part though, which is if there is going to be any effect on the state park.

MR. BRADLEY: As described, the recommended alternative won't have any effect, as far as construction activity, on the state park. What it will do is ensure that no asbestos is released to the air after the cleanup. But it will--that's separate property and there will be nothing done there.

Q. (Another speaker.) I have a question.

MS. MCCUE: Could we finish up--

Q. Well, could I ask you what he just--

MS. MCCUE: Oh. Okay. Follow-up.

Q. Let me get this straight. Am I to understand now that there is no asbestos airborne off-site?

MS. MCCUE: That we found in the investigation.

Q. I beg your pardon?

MS. MCCUE: That we found during the investigation.

Q. There is no asbestos off-site? Airborne?

MS. MCCUE: That we found during our investigation. During the times that the site was being investigated there was none found.

Q. You mean, there is nothing blowing anyplace from that site?

MS. MCCUE: We are not saying nothing is ever blowing from there. What we have said is that during the times the site was investigated we found none leaving the site. But, I don't think that anybody is going to guarantee that nothing is being blown off.

Q. So, it could be a health hazard after all, couldn't it?

MS. MCCUE: Well--

MR. MALHOTRA: Let me clarify that. Let me clarify this. There have been three air samplings done at

this site. Two were done prior to, well all three were done prior to when I got involved. Two were done, one by EPA, and the third was done by a consultant from Canada, a well known company hired by Johns-Manville. The first two studies indicated that the levels of asbestos in the air were slightly higher than in the off-site locations. But those were still in the range of what you find in the industrial areas. They were slightly higher on-site. There is asbestos in the air all the time. And there is asbestos in the water as there is in the water all over the country, all over the place. The inspection of what concentrations are higher and what concentrations are lower. So, typically by example the water which you are drinking in Waukegan, right, taken from the Waukegan ground has six to eight million, you know, fibers per liter of water. So, when you say about asbestos, you are talking about concentrations, that's why the United States agencies are set up with standards. So, the level on on-site locations, when they were monitored, was slightly higher than the off-site locations. And the intent here is to make sure that the levels in the air also are similar to or less than what we

are coming across at the off-site locations. That is all the purpose of the remedial investigation.

Q. May I ask another?

MS. MCCUE: Is this a follow-up to that, because we never finished this gentleman's--

Q. Yes. Now, you don't know that the asbestos that is coming off of that site is detrimental to anybody's health. Is that correct? Is that what you are saying?

MS. MCCUE: We didn't say that there is asbestos coming off the site.

Q. No. He did. (Referring to Mr. Malhotra)

MS. MCCUE: No, he did not.

Q. That it was higher than on-site.

MS. MCCUE: No, on-site slightly higher than off-site.

Q. Yes, but you can't really say no, either. Because we just had a northeast wind the other day that was about fifty mile an hour, and I bet my house toward the

dollar that you've got more asbestos in the air than you normally do.

Q. (Another speaker) If there is no airborne asbestos on the site, then what are you worried about?

MS. MCCUE: We didn't say that there was none on the site, we said--

Q. All right. Off the site then. I'm listening, but they are going around in circles as far as I'm concerned.

MS. MCCUE: I don't think so. I think it's really, it seems as though most other people have understood. Maybe we could talk to you a little more about it afterwards. But the essential point is that what is on-site is slightly higher than what is off-site. During the investigation we didn't find any off-site asbestos, beyond what is I think, as Kumar said, it "should be". But, this gentleman over here had a third question that I promised Larry would answer, and it had to do with ownership of the property after the cleanup. I think you are assuming if Manville

didn't clean it up themselves. If USEPA were to clean up the property.

MR. JOHNSON: Well, if we spend any government Superfund money to clean up this site, as I indicated before, we intend to recover all of that money that we spend from the responsible, the party responsible for dirtying up the site in the first place. So, initially, there is an outlay of tax money in cleaning up the site, but eventually it is recovered. As far as the land ownership is concerned, the land is currently owned by Manville Sales Corporation, as you know, and I also think it will--well, presumably it is still going to be owned by Manville afterward. They don't lose an ownership to the land because there has been a cleanup done there. All right?

MS. MCCUE: Well, it's not what he wants.
(Indicating that the person who asked the question was not pleased with the response)

MR. JOHNSON: I'm not trying to tell him what he wants.

MS. MCCUE: I think he wants us to, if USEPA were to spend money in a place, that we get the property. I don't think we necessarily want the federal government to own--

Q. Well, my grandchildren are stuck with it.

MS. MCCUE: I think I understand your point, and I think that the answer is that, no, we don't seize the property.

The gentleman in the vest.

Q. Just kind of picking up on that, because it sounds like if it were covered, and seeded, and vegetated, it would be very beautiful down by the lake, but then you described the whole perimeter as going to be fenced in. Is that a safety precaution, or just something inherent in Manville's property rights? It's fenced in now, but--

MR. BRADLEY: The east boundary isn't fenced. That's part of the recommended alternative is to fence the east boundary. You could, a person could come on the beach and then walk up, go over some hilly areas, and onto the site. It is not presently fenced in. There will be areas still operating. The sludge disposal pit, and the

miscellaneous disposal pit, and the wastewater treatment systems will still be operating. And it, the fencing, is to limit access during the remedial action itself. And beyond that, it could be taken down.

MS. MCCUE: If that's a comment that you want to make on the record, then we would be happy to have that, but you are going to have to fill out one of these little blue cards.

Q. All right.

MS. MCCUE: But, that's the kind of thing we're looking for actually.

Q. Alternative III recommends eighteen inches of clay silt and six inches of sand cover over the waste area. I was wondering if you could regard what's involved in that, and what is the expected source of that material. Would that be coming from on-site or off-site?

MR. MALHOTRA: Off-site. Most of it would come--the same material that is on the north forty acres would be used for all of it. Again, any sand which is brought from off-site, or taken from on-site, will be tested first. The results would be given to the Illinois EPA,

USEPA. And once they have all determined that, yes, it is a suitable soil for cover, only then would it be used. But the intent is to take sandy soil for the six inch or nine inch, or whatever, cover underneath. We're talking sand from the Johns-Manville property and the heavier soils from off-site locations.

MR. BRADLEY: Yeah. I would clarify that as suitable as to non-asbestos containing. If it showed up positive for asbestos, it wouldn't be used.

MS. MCCUE: Do we know the cubic yards? Was that the second half? How much volume we are talking about?

Q. Yeah. The total acreage of the waste area when it's graded would be--

MR. MALHOTRA: Well, we are talking forty--we are talking maybe two, three hundred thousand cubic yards of total of material to be needed, depending upon what is the agreed to cover things--

MS. MCCUE: And then the acres. Do we know the acreage that would be covered?

MR. MALHOTRA: There are one hundred twenty acres and 57.3 acres is water surface, and the remaining,

let's say fifty/fifty, you can call it sixty-plus or sixty five acres is the area, surface area to be covered. The remaining is water surface and ponds.

MR. BRADLEY: With the exception of the sludge disposal pit and miscellaneous pit which would remain active. So, it would be less than sixty acres.

Q. From what I read here, it says contaminants were first discovered at the Johns-Manville disposal site in April of 1982 when air sampling conducted by the USEPA suggested there was airborne asbestos above background levels downwind of the site. Well, you know, that's all nice that that was done, tested and all. Certainly prior to 1982, maybe like 1945 that asbestos fiber was still there. So that 1982 is irrelevant to me. But, if I heard your attorney correctly, he said that monies spent by the US Government Superfund there would be recouperated. Correct? So, what's the hold up? Why don't we just get started on this thing.

MS. MCCUE: Well, first of all, we have to make a decision to do it. We have to take public comment and decide to do it. So, that is the step we're in now, if

that's what you're asking. As far as, you know, the time of 1945, or whatever, Superfund didn't go into effect until 1980--

Q. Well, I realize that. But, I mean, you know that the asbestos was there prior to--

MS. MCCUE: Oh, yeah. But, this is the starting of Superfund life, here, is where we tend to start our--

Q. (Another speaker) I would like to comment favorably on the orderly process that I see in action here. It's something that we want to do instantaneously but realize we have to go through an orderly process. And that old what happened in '42 and '22 and no way are we going to be able to fix that.

MS. MCCUE: Do you want to write that down?

AUDIENCE: (General laughter.)

MS. MCCUE: Somebody called me to comment on the phone and they still had to fill out a little blue card.

MR. JOHNSON: Margaret, part of the reason for filling that out is because we need their names.

MS. MCCUE: Oh, absolutely. That's absolutely right. Please fill out the cards. Right here.

Q. (Another speaker.) In the recommended alternative, there is a statement here that says it also provides some protection to groundwater. What does that protection, how is the groundwater protected if the waste is on the bottom, and if the sand and clay and so-on go on the top, then how is the groundwater protected if the waste is down on the bottom?

MR. BRADLEY: Okay. What's happening there is that rain and other precipitation would infiltrate through that cover and potentially, if the conditions are right, I don't want to go into too much detail as to what the right conditions are, potentially it can remove the contaminants from the waste pile and settle into a solution, at which point they would move with the groundwater. Not necessarily as fast as the groundwater, but would become mobile in the groundwater. And what the remedial alternative, the recommended alternative does--

First of all, the remedial investigation did not show any levels of contaminants that were greater than the applicable drinking water standards. And so, there have been drinking water standards right now, and what we are trying to ensure in the level of protection that you are asking about is that these levels of contaminants do not exceed drinking water standards, or any other applicable standards adopted in the future. And the detection monitoring system, which I described, where the eight, the minimum of eight additional wells would be installed, we would put that into effect. That would be monitored at a given time interval for a minimum of thirty years, and if any concentrations show up that pose a threat to public health and the environment based on these existing standards or criteria, then proper remedial action would be taken.

MS. MCCUE: Pretty much--

Q. The monitoring system is the protection?

MS. MCCUE: Well, actually I reread that sentence. Pretty much the cap always protects groundwater because it prevents anymore rain or snow from pushing down the contaminants further into the groundwater. There are

sites where the groundwater is the biggest problem and we put a cap on a site to protect the groundwater from pretty much pushing further, so I think that is, in part, what it was referring to. Because it says protecting it from lead, and we wouldn't want the lead--

Q. Heavy metals.

MS. MCCUE: Right. So, the cap would prevent the chance for contaminants getting pushed further down.

MR. MCGALL: Margaret, there are different types of caps. If you cap a landfill using a very heavy clay, the water does not percolate through. Simply to keep it impervious from precipitation on the surface. In this case, we're trying--we will have to maintain a vegetative cover, in which case we need the air and water migrating through some soil. So, in this case we are using soils, even the heavier silty clay, will actually have a percolation through them. And so in this case there is the danger that clay and sand and the vegetation on them will leach the material out, put it in the groundwater, and as the attorney has mentioned, the groundwater is going to Lake Michigan, and so it eventually gets to the lake and it will

deposit on beaches and dry up and blow away again. So it's a possible source of new asbestos, the asbestos in groundwater, or other hazardous metals.

MS. MCCUE: Our fact sheet does say, however, that the cap will provide some--

MR. MCGALL: It provides some, but this is not the same cap that the landfill would be, it's not that tight.

MS. MCCUE: Does that answer your question, or have we--

MR. BRADLEY: Any cover will, to some extent, retard percolation. Any cover. As Dick mentioned, the ones, heavier soils greater clay compacted, for example, will do a greater job retarding the percolation than sand, which water flows through rapidly. So, it does offer a degree of groundwater contamination, just by being a soil cover--

MS. MCCUE: Protection.

MR. BRADLEY: Oh, protection. So, just the fact that it is a cover does work to retard groundwater contamination.

Q. You are retarding basically the heavy metals and not the asbestos. That's the problem.

MR. BRADLEY: That's correct, and--in the groundwater that is correct. And again I don't want to go into too much detail, it could get really complicated as far as how metals move in the groundwater. But asbestos, because of its fibrous nature does not tend to move through the groundwater, and therefore is not such a concern at this site, through the groundwater. They are very concerned with the air, but not the groundwater.

MS. MCCUE: Do you have another?

Q. Well, how is that related? The fibrous that you've got in the water here, compared to what you've got in Lake Superior, where you've got a lot of this asbestos in suspension. If you've got it in suspension in one part of the lake, you should have some kind of a suspension here in Lake Michigan too. Or am I hearing? I'm talking about what they have up at the far west end of Lake Superior.

MS. MCCUE: Duluth?

MR. BRADLEY: Duluth.

MS. MCCUE: Is your question actually whether the asbestos suspended in the lake is a problem?

Q. Well, if you have a suspension problem in Lake Superior, you've still got water here, the same thing could have applied there.

MR. MALHOTRA: No, not really. What is hapening is in that from the reserve mining in Duluth, in that area, what they are doing is they are taking iron ore, grinding that, you know, taking the ore, and the rock which has also iron ore, also has asbestos. When they were grinding and then through settling systems they were settling the iron ore, pulverizing and making steel, and the remaining liquid and ground rock they were dumping back into Lake Superior. And through that reserve mining they had pumped millions and millions of tons of broken asbestos and rock, in suspension, dumped into Lake Superior, and that's why the levels of suspended asbestos have gone up in Lake Superior.

Here, we are not taking, if we were taking Johns-Manville waste from here and pulverizing and the product was going into Lake Michigan, then I could see some similar effects showing up here. Here they are all being piled. The only suspension would be the levels, and weekly they are counting them. Also, the amount of asbestos which is present here is in the bound form. This is a waste product like asbestos cement pipe people are using for drinking water. So, it is all tied up. Or asbestos shingles, or sheeting materials--so they are broken or off standard, those are the ones which are dumped there. So these are more tight as opposed to broken and suspended and dumped there. Here they are all cemented and glued together and so they are not easily releasable. Not only to the groundwater, but also less releasable to the air also. So, there is a difference.

Q. So these are not in suspension.

MS. MCCUE: I'm glad he knew. Umm, we'll take one more question and then what I would like to do is check on the status of people who want to make comments and make sure we're able to do that.

Q. Could I ask him on that off-site sampling? About fifteen or twenty years ago we sampled all the way, the whole perimeter of the plant, many times. And the counts that we got at the fence were much lower than what they were on-site, in the dump. Then we also took samples up on top of the hill, on Sheridan Road, on some people's property. I have a son and a grandson that live up there on Sheridan Road, and I'm not concerned with them at all, as far as asbestos.

MS. MCCUE: We being Manville?

Q. Well, I'm retired.

MS. MCCUE: No, I mean when you said we sampled fifteen years ago.

Q. Well, yeah. I was working at that time for Johns-Manville and I've been retired now for six years.

MS. MCCUE: Thank you. What I would like to do is to check to see whether anybody--

MR. BRADLEY: Do you want to get his name?

MR. MALHOTRA: Do you want to identify your name, address, or--

Q. Frank Angeles.

MR. MALHOTRA: I mean, to fill out a card.

MS. MCCUE: What I would like to do is to see whether there is anybody who wants to make a comment who has them, has something that they want to tell us about what we are recommending or the other alternatives, or what we should consider in making a final decision. Is there anybody who would want to take that chance?

AUDIENCE: (No response.)

MS. MCCUE: If there aren't, I would like to ask that those people, a couple gentlemen, and a couple of other people who said things during the course--I think you did too--course of the question period, that you would like to have what you said made a public comment, I would encourage you to fill out a card so that we can make that a part of the official record and it can be given every consideration while we are making a final decision.

Uh-huh?

Q. Can I still ask one more question?

MS. MCCUE: Okay.

Q. As to the water, the Sanitary District, they are supposed to filter this water too, aren't they?

MR. MALHOTRA: The what?

MR. BRADLEY: Filtration?

MR. MALHOTRA: Yeah, they have to--

Q. (Another speaker.) No, just sewer water.

MS. MCCUE: What's your question?

Q. If there is any asbestos in the water, then the Sanitary District should catch it all.

MS. MCCUE: Oh. Okay. I see what you're saying. So, you're saying that it's treated before it reaches..

Q. The plant itself is not sending any water to the Sanitary--Sewer District. Only water from drinking water. All their processed water goes out to the settling basin.

MS. MCCUE: So, you're saying. Oh. Okay. Well, the gentleman is talking about groundwater that might become contaminated and get into the water supply. But, I

think the city water supply comes from way out into the lake.

MR. MALHOTRA: The City of Waukegan has an intake which goes to almost three or four miles inside the lake. And, see the asbestos fibers, there are two kinds. One of several lengths. So, the EPA has come up with a recommended maximum level only of fibers that are longer than certain lengths, more than ten microns. So, none of the water contains any of the fibers which are longer than that. And they allow up to seven million, 7.1 million fibers per liter you can have and that is safe, not threatening. But neither Waukegan water, nor any of the water which was tested during this, had fibers which were longer than that or of that, of any concentration. So, of fibers are present which could be threatening, or which could have harmful effects, those fibers, the longer fibers, were not present. And your Waukegan plant does take the drinking water, treat it, filter it, you know. But that type of filtration normally does not remove the fibers.

MS. MCCUE: Any other questions or comments?
We will be happy to stick around and answer any individual

questions that people have. If you go home and think about this and want to submit written comments, we are accepting them postmarked until February 24th. Everyone who is here who is signed up on our sign-up sheet will be added to our mailing list and will be notified as to the next steps being taken in the process. Thank you very much for your participation.